

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

CHARLES BURGIN,

Plaintiff,

v.

Case No.: 15-CV-0201S

BUFFALO BOARD OF EDUCATION; FORMER
BUFFALO PUBLIC SCHOOLS SUPERINTENDENT
PAMELA C. BROWN; ASSOCIATE
SUPERINTENDENT BUFFALO PUBLIC SCHOOLS
WILL KERESZIES; DIRECTOR OF SOCIAL
STUDIES BUFFALO PUBLIC SCHOOLS CHARLES
BRANDY; INTERIM SUPERINTENDENT
BUFFALO PUBLIC SCHOOLS DONALD A.
OGILVIE; PRESIDENT BUFFALO BOARD OF
EDUCATION JAMES M. SAMPSON; BOARD OF
EDUCATION MEMBER CARL PALADINO;
BOARD OF EDUCATION MEMBER PATRICIA
PIERCE; BOARD OF EDUCATION MEMBER
LAWRENCE QUINN; BOARD OF EDUCATION
MEMBER THERESA HARRIS-TIGG; BOARD OF
EDUCATION MEMBER BARBARA SEALS-
NEVERGOLD,

Defendants.

NOTICE OF MOTION

Nature of Action:	Civil Rights and Tort.
Moving Party:	Defendant James M. Sampson.
Directed To:	Plaintiff Charles Burgin
Date and Time:	To be set by the Court.
Place:	United States Courthouse, 2 Niagara Square, Buffalo, New York.
Supporting Papers:	Declaration of Kevin M. Kearney, dated August 27, 2015; Memorandum of Law in Support of Motion to Dismiss, dated March 30, 2015.

Answering Papers: Unless otherwise ordered by the Court, Plaintiff shall file and serve any responding papers within 14 days of the service of this motion. Defendant intends to serve reply papers.

Relief Requested: An Order, pursuant to Federal Rule of Civil Procedure 12(b)(6), dismissing plaintiff's complaint together with costs and disbursements of the motion and such other and further relief as the Court deems just and proper.

Grounds for Relief: As set out in the accompanying memorandum of law. In addition, each of the individual defendants is entitled to dismissal on the basis of qualified immunity.

Oral Argument: Requested.

Dated: August 27, 2015

HODGSON RUSS LLP
Attorneys for Defendant James M. Sampson.

By: s/ Kevin M. Kearney
Kevin M. Kearney
Karl W. Kristoff
The Guaranty Building
140 Pearl Street, Suite 100
Buffalo, New York 14202-4040
(716) 856-4000

TO: Mr. Charles Burgin, *pro se*
22 Bennett Village Terrace
Buffalo, New York 14214